

**ZB# 74-9**

**Infante Brothers /  
Joseph Cimorelli**

**(no SBL given)**

Public Hearing

May 6, 1974

8 p.m.

No fees pd.

Public Hearing Notice

Published Apr 28

6 Receipts rec'd.

filed with TC

6-7-74

1:00 P.M.

J

# GENERAL RECEIPT

Town of New Windsor, N. Y.

Nº 1956

Received of Marie A. Cimorelle June 7 1974  
Twenty-five and no/100 \$ 25.00  
 For Variance Dollars

DISTRIBUTION.

FUND	CODE	AMOUNT

WILLIAMSON LAW BOOK CO., ROCHESTER, N. Y. 14609

Deputy  
TITLE

BY Janet Nelson

APPLICATION FOR VARIANCE

Application No. 74-9

Date: Apr. 25/74

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (We) Anthony Philip Bryan Infante of Temple Hill rd.  
(Street & Number)

New Windsor N.Y. HEREBY MAKE  
And Joseph Cimorelli of New Windsor (State)

APPLICATION FOR A VARIANCE:

A. Location of the Property Temple Hill rd. Q.L.1  
(Street & Number) (Zone)

B. Provision of the Zoning Ordinance Applicable: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance.) 48-12 article III

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because:

use similar to already allowed  
resort hotel as per 48-12

2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because:

Guest use compatible with  
surrounding property & use

3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because:

prospective purchaser would be  
for motel use only

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: \_\_\_\_\_

Motel would be a higher class  
const lending itself pleasing to area

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: \_\_\_\_\_

commercial use now existing

- D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

as per plans submitted

- E. Application to be accompanied by two checks, one payable to the Town of New Windsor in the amount decided by the Board and the second check payable to the Secretary for taking the public hearing minutes. Applications to be returned to: Secretary of ZBA.

- F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered or certified mail to all abutting land owners as required by Sec. 9.4.1. of the Ordinance.

- G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239 I&M of the Gen. Municipal Law to see if it applies. If so, notify the Orange County Planning Board by sending them an application.

Dated: April 25, 1974

Philip J. D'Amato  
Signature of Applicant

STATE OF NEW YORK )  
COUNTY OF ORANGE ) SS.:

Sworn to on this 25 day of April, 1974

Temple Hill Road  
Address

Sydell Feldman  
(Notary Public)

SYDELL FELDMAN  
Notary Public, State of New York  
Qualified in Orange County  
My Commission Expires 12/31/75

561-1663  
Telephone Number

(DO NOT WRITE IN THIS SPACE)

Application No. \_\_\_\_\_  
Date of Hearing \_\_\_\_\_  
Date of Decision \_\_\_\_\_

Approved  
5/6/74

Date Received \_\_\_\_\_  
Notice Published \_\_\_\_\_

DECISION:

# County of Orange

Louis V Mills, County Executive

May 2, 1974

Re: Use Variance -Infante Brothers  
County Road 59 (Temple Hill Road)

4. Should your Board determine that the use being sought by the applicants requires a variance and the application clearly spells out the intended use, then your Board must make specific findings in accordance with Section 48-32B.

[illegible]

Mr. Fred Wygant, Jr., Chairman  
Town of New Windsor Z.B.A.

May 2, 1974

Re: Use Variance - Infante Brothers  
County Road 59 (Temple Hill Road)

We trust that your Board is quite capable of resolving the problems, as we see them, and rendering a decision based upon the materials submitted. From our point of view, we have no objection to a motel or hotel use on the site.

Very truly yours,

A handwritten signature in cursive script, reading "Edwin J. Garling".

Edwin J. Garling  
Deputy Commissioner of Planning

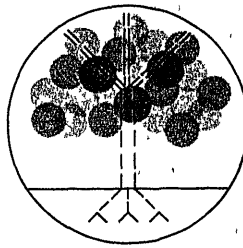
hc

Reviewed by:

Joel Shaw  
Senior Planner

# Department of Planning

Peter Garrison, AIP, Commissioner  
Edwin J. Garling, AIP, Deputy Commissioner



The County Building  
Goshen, New York 10924  
(914) 294-5151

# County of Orange

Louis V. Mills, County Executive

May 2, 1974

Mr. Joseph Loscalzo, Chairman  
Town of New Windsor Planning Board  
17 Split Tree Drive  
New Windsor, New York 12550

Re: Subdivision of Infante Bros.  
County Road 59 (Temple Hill Rd.)

Dear Mr. Loscalzo:

Our office has reviewed the application of Infante Brothers for a subdivision, according to Section 239, 1 and n, Article 12-B of the General Municipal Law of the State of New York.

County approval is hereby granted.

Very truly yours,

Edwin J. Garling  
Deputy Commissioner of Planning

EJG:mj  
cc: Zoning Board of Appeals

Reviewed by:  
Joel Shaw  
Senior Planner



7 Franklin Avenue  
New Windsor, N. Y.  
May 8, 1974

Howard Collett, Building Inspector  
Town of New Windsor  
555 Union Avenue  
New Windsor, N.Y. 12550

RE: Decisions: Applications for Variances  
Infante/ Cimorelli ✓  
Westchester Concrete ✓  
Benjamin Harris

Dear Mr. Collett:

Please be advised that the above applications for variances were all approved by the members of the ZBA on May 6, 1974.

Kindly refer to the minutes of the May 6th meeting for the details of each application which was granted.

Thank you.

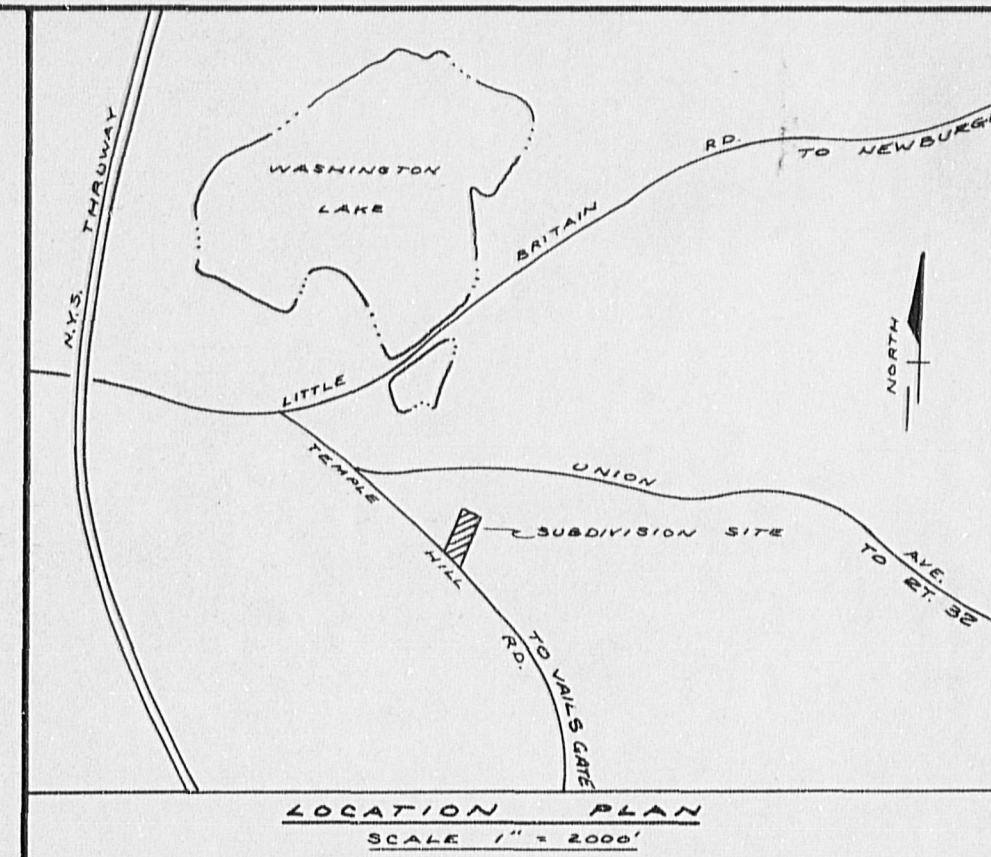
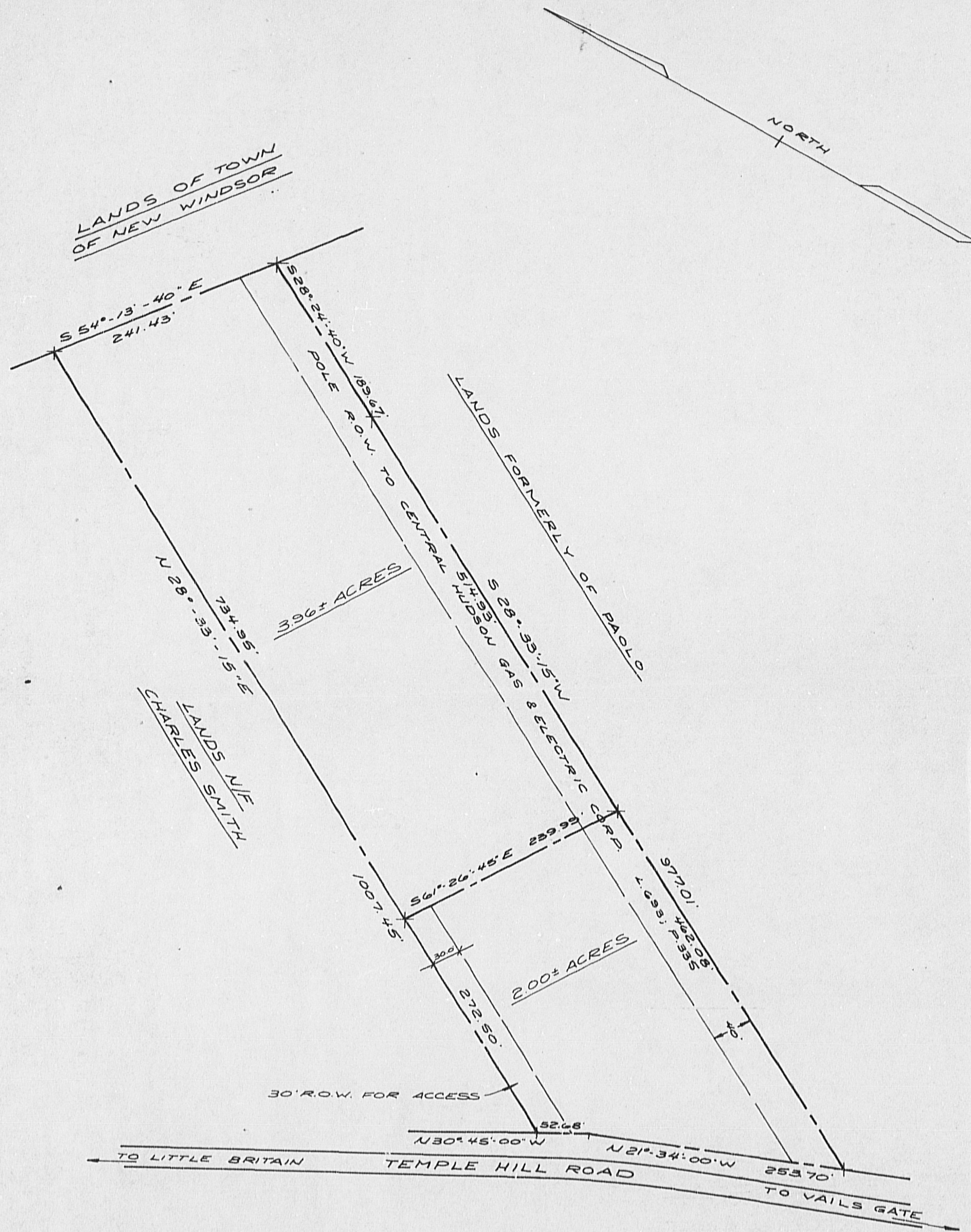
Yours truly,

Fred Wygant, Chairman  
By: Patricia Delio, Secretary

/pd

cc: Joseph LoScalzo, Chairman  
New Windsor Planning Board





APPROVAL BOX

APPROVAL BOX

*Final subdivision* APPROVAL GRANTED  
 BY TOWN OF NEW WINDSOR PLANNING BOARD  
 ON 7-18-80  
 BY Ernest Spignardo  
 ERNEST SPIGNARDO  
 Chairman

I HEREBY CERTIFY  
 IS A TRUE AND ACCURATE  
 AS SHOWN.

BY: Rodney Gibbs, L.S.  
 RODNEY GIBBS, L.S.  
 N. Y. STATE OF NEW YORK NO. 37214

ZONING DISTRICT: RB

REVISED	NATURE OF REVISION	REVISED	NATURE OF REVISION

PLAN OF  
 MINOR SUBDIVISION  
 LANDS OF  
 ANTHONY, BYRON & PHILIP J. INFANTE

TOWN OF NEW WINDSOR ORANGE COUNTY, N.Y.  
 SCALE: 1" = 100' APRIL 12, 1974

DRAWN BY <u>kg</u>	EUSTANCE & HOROWITZ PC	DWG. # <u>C-3780A</u>
CHKD BY <u>Re</u>	CIRCLEVILLE, N. Y. 10919	JOB #